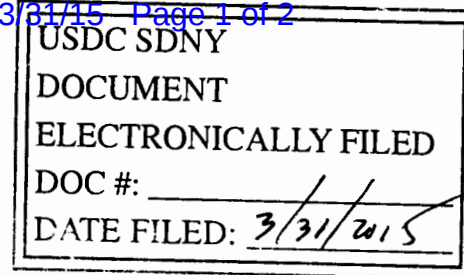


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Harbinger Capital Partners Funds Investor
Litigation



12 **CIVIL** 1244 (AJN)

JUDGMENT

Whereas on September 30, 2013, the Court granted in part and denied in part Defendants' motion to dismiss the Fourth Amended Complaint ("4AC"), and dismissed with prejudice all claims predicated on the funds' purchase of Sky Terra, as well as certain direct and derivative claims for breach of fiduciary duty; at the same time, the Court granted Plaintiffs leave to amend their complaint and re-plead their remaining claims in light of the September 30, 2013 order; On December 16, 2013, the Court granted Defendants' motion for reconsideration of a portion of its September 30 order, and dismissed Plaintiffs' derivative claims brought on behalf of Harbinger Capital Partners Funds II, L.P.; on July 7, 2014, the Court denied Plaintiffs' motion for reconsideration of the September 30 order; Plaintiffs filed a Sixth Amended Complaint ("6AC") on November 4, 2013, and now before the Court is Defendants' motion to dismiss for failure to state a claim on which relief can be granted, and the matter having come before the Honorable Alison J. Nathan, United States District Judge, and the Court, on March 30, 2015, having rendered its Opinion and Order granting Defendants' motion to dismiss all of Counts I, II, III, IV, and V, and dismissing these counts with prejudice, the Court declining to exercise supplemental jurisdiction over counts VI and VII, and therefore, dismissing those claims without prejudice, and requesting the Clerk to terminate the case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated March 30, 2015, Defendants motion to dismiss is granted as to all

of Counts I, II, III, IV, and V, and these counts are dismissed with prejudice; the Court declines to exercise supplemental jurisdiction over Counts VI and VII, and those claims are dismissed without prejudice; accordingly, the case is closed.

Dated: New York, New York
March 31, 2015

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**